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QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD

Situation in the Republic of Chechnya of the Russian federation

Report of the High Commissioner for Human Rights submitted in accordance with Commission resolution 2001/24

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I. INTRODUCTION

1. At its fifty-seventh session, the Commission on Human Rights adopted resolution 2001/24 of 20 April 2001 on the Situation in the Republic of Chechnya of the Russian Federation. On 21 April 2001, the Ministry of Foreign Affairs of the Russian Federation issued a statement indicating that it did not consider itself bound by the Commission's resolution, which it viewed as "unobjective and unbalanced". The Commission requested the High Commissioner for Human Rights to report on the implementation of the resolution to the Commission at its fifty-eighth session and to keep the Commission and the General Assembly informed on further developments, as appropriate.

2. The High Commissioner informed the Commission on Human Rights at its informal one-day session on 25 September 2001 and the Third Committee of the General Assembly on 6 November 2001 of developments regarding the resolution and her communications with the Government of the Russian Federation. The present report provides a summary of information received from the Government, as well as information on activities undertaken by the Office of the High Commissioner for Human Rights (OHCHR), United Nations agencies and programmes, and regional and non-governmental organizations.

II. ACTION BY OHCHR

3. The High Commissioner has had frequent contacts with the Government of the Russian Federation during the last year. She requested information from the Russian authorities concerning various aspects of the implementation of resolution 2000/24. In response, she received letters and informational material from the Ministry for Foreign Affairs, the most recent dated 20 December 2001.

4. In her correspondence and meetings with Russian officials, the High Commissioner addressed the following points, inter alia: offers of technical assistance; requests for information on alleged violations and their investigation; requests by thematic mechanisms of the Commission on Human Rights to visit Chechnya; inquiries into the social and economic rights of the Chechen people, including internally displaced persons (IDPs); and the serious humanitarian situations in Ingushetia and Dagestan in the context of large numbers of IDPs. Information received from the Government is presented below.

5. In resolution 2001/24, the Commission reiterated its call on the Russian authorities to carry out an independent investigation into the alleged human rights violations in Chechnya. OHCHR continued to offer technical assistance to the Government to establish such a procedure, as well as other assistance that the Government might determine would be of use.

6. Since the fifty-seventh session of the Commission, OHCHR exchanged information with United Nations agencies and regional organizations working in relation to Chechnya. A summary of information provided by these organizations appears below.

7. The Commission reiterated its request that the relevant special mechanisms of the Commission undertake missions to the Republic of Chechnya of the Russian Federation without delay. The High Commissioner has been in contact with the Government of the Russian Federation with a view to facilitating the visits.

8. The Special Representative of the Secretary-General on Children and Armed Conflict received an invitation from the Government of the Russian Federation to visit Russia and the North Caucasus region in September 2000. The Special Representative reports that he plans to go in summer 2002.

9. The remaining mandates mentioned in the Commission's resolution on Chechnya - the Special Rapporteur on torture, the Special Rapporteur on extrajudicial, summary or arbitrary executions and the Special Representative of the Secretary-General on internally displaced persons - requested in the first half of 2000 to undertake missions to the Republic of Chechnya and neighbouring regions. None of these mandates has received an invitation.

10. By letter dated 25 January 2002, the (newly appointed) Special Rapporteur on torture reiterated his request to visit the Russian Federation with respect to the Republic of Chechnya, recalling the joint initial request with the Special Rapporteur on violence against women. No invitation has been received following the initial joint request sent on 27 April 2000.

11. On 28 June 2001, the Special Rapporteur on violence against women wrote to the Government of the Russian Federation accepting an invitation which they had extended to her. A reply was received on 18 July 2001, confirming the previous invitation to the Special Rapporteur on violence against women and indicating that dates for the mission could be discussed in November or December 2001. A note verbale was received from the Permanent Mission on 5 February 2002, inviting the Special Rapporteur on violence against women to visit "in the course of the year 2002 with the exception of the period of the fifty-eighth session of the Commission on Human Rights".

12. In their reports to the Commission on Human Rights, the holders of the respective mandates provide information regarding their requests for visits and their communications on specific cases and the responses received from the Government of the Russian Federation.

13. The Government of the Russian Federation continues its cooperation with OHCHR in other areas. A three-year project of technical cooperation completed its first year of full implementation in 2001. The aim of the project is to provide support for capacity and resource development in the area of human rights education. The project is funded by the United Nations Voluntary Fund for Technical Cooperation in the field of human rights. The project includes the strengthening of a national network of organizations working in this field. Teachers, students and education professors take part in regional and national training activities and competitions. Other activities include training of trainers, internships, dissemination of information through the Internet, television and educational newspapers, and the provision of core human rights publications to higher education libraries, the judiciary, the legislature, executive agencies and non-governmental organizations at the national and regional levels.

III. INFORMATION FROM THE GOVERNMENT OF THE RUSSIAN FEDERATION

14. Information for this report received from the Ministry for Foreign Affairs of the Russian Federation on 19 December 2001 is provided in full in this section.

15. The Government of the Russian Federation rates the overall situation in the Chechen Republic as stable. It considers that progress is undoubtedly being made in restoring the full enjoyment of human and citizens' rights and freedoms throughout the Republic.

16. The Government reports that further efforts are being made to strengthen the judiciary and the bar. They state that in addition to the Supreme Court of the Chechen Republic, which sits in Gudermes, there are 12 district and municipal courts in Chechnya (Gudermes, Grozny, Zavodskoi, Leninsky, Oktyabrsky, Staropromyslovsky, Naursky, Nadterechny, Urus-Martan, Shali, Vedeno and Nozhai-Yurt), it is intended to establish three new courts in Achkhoi-Martan, Shelkovskaya and Shatoi districts and to introduce justices of the peace in the Chechen Republic. The Russian Government provided information that as of 20 October 2001, 1,361 criminal cases had been referred to the courts, 494 of them heard, and 6,267 civil actions, 6,058 of them heard.

17. The Russian authorities reported that the procuratorial agencies have intensified their criminal investigation efforts, including investigation of crimes against the civilian population of the Chechen Republic committed by military and similar personnel.

18. The Russian authorities stated that data from the Office of the Procurator of the Chechen Republic show that the crime situation in Chechnya worsened in 2001. They reported that the number of crimes against Russian speakers, local government officers, law enforcement personnel and persons working with the federal authorities increased. The Russian authorities stated that 83 full-time internal affairs officers, 37 local government leaders and employees and 9 clerics were murdered. The Russian authorities reported that in Grozny alone bandits murdered more than 80 Russian-speaking citizens during the year. Information provided from the Russian authorities stated that over a 10-month period in 2001, a total of 5,511 crimes were recorded in the Chechen Republic, and 67 per cent of them were solved. They further stated that a total of 321 criminal proceedings were initiated in connection with acts of terrorism.

19. The Russian authorities explained that the military procurator's office oversees observance of the law by the military authorities, military officials and military personnel. Information from the Russian authorities stated that military procurator's offices were established in five garrisons to safeguard legality and the rule of law among the forces stationed in the Chechen Republic. They reported that the Military Procurator's Office of the North Caucasus Military District established a special unit to investigate crimes against the civilian population. Russian authorities stated that since 1 August 2001, a procuratorial investigative unit of that Office headed by the district's deputy military procurator has been operating out of Khankala.

20. Information from the Russian Government stated that in all, the military procuratorial agencies opened a total of 106 criminal cases (compared with 35 in 2000) in connection with crimes against residents of the Chechen Republic. Investigations were

completed into 52 cases, and of these 35 (70 per cent), involving 50 individuals, were referred to courts martial: 10 homicides (under article 105 of the Criminal Code of the Russian Federation (CCRF)), 1 case of injury to health through negligence (CCRF, art. 118), 12 cases of stealing (CCRF, arts. 158-162), 4 violations of the rules for operating military vehicles (CCRF, art. 350), 1 violation of the rules for handling weapons (CCRF, art. 349), 3 cases of disorderly conduct (CCRF, art. 213), 1 rape (CCRF, art. 131), and 3 other offences. Proceedings in 17 criminal cases were discontinued on various grounds under current legislation.

21. The Russian authorities reported that as of 1 December 2001, 17 military personnel were found guilty by courts martial of crimes against residents of the Chechen Republic.

22. The Russian authorities consider that because most reports of crimes against civilians in Chechnya concern military personnel, the role of the military procuratorial agencies in overseeing the activities of the troops and forces which comprise the unified group in the Chechen Republic and in investigating criminal cases opened in connection with acts of the kind in question is being significantly expanded. They further report in that connection, the Chief Military Procurator instructed units of his Office to gather, register, analyse and collate incoming information about unlawful acts committed by federal military personnel against civilians, to check this information in collaboration with the Ministry of Defence, the General Headquarters of the internal affairs troops of the Ministry of Internal Affairs, and the Special Representative of the President of the Russian Federation for the Promotion of Human and Civil Rights in the Chechen Republic, and to compile information about the outcome of the judicial examination of criminal cases in this category.

23. Information from the Russian Government stated that in order to preclude human rights abuses when checking identity documents, Order No. 46 on strengthening supervision of respect for citizens' rights when checking registration at residential or temporary addresses in the Chechen Republic was promulgated by the Procurator-General of the Russian Federation on 25 July 2001. The authorities reported that pursuant to this order, the Office of the Procurator of the Chechen Republic, in coordination with the military procurator of the North Caucasus Military District, the Commander of the Unified Group of Forces and the director of the regional tactical headquarters for counter-terrorist operations in the North Caucasus region, is currently preparing a directive on the procedure for cooperation between military and local procurators and federal forces when checking compliance with the regulations on registration of citizens in the Chechen Republic. Additionally, the Russian authorities reported that on 24 August 2001 the military procurator of the North Caucasus Military District issued order No. 285 on organizing procuratorial supervision in military procurators' offices in the Chechen Republic with a view to preventing unlawful acts by personnel of military units and other formations of the Unified Group of Forces in the North Caucasus region when checking citizens' registration at residential and temporary addresses in the Chechen Republic.

24. The Russian authorities consider that as a result of these measures, a tendency towards dramatic improvement in the effectiveness of procuratorial supervision over checks performed by units of the Unified Group of Forces has become evident. They noted that from 20 to 22 July a special operation was carried out to check citizens' registration at residential and temporary

addresses in the localities of Alleroi, Bachi-Yurt, Maiortup and Dzhugurty, and that no complaints were received from the local authorities or citizens, despite the involvement in the operation of over 1,300 military personnel and officers of various units of the Unified Group of Forces.

25. Information from the Russian Government reported that in conjunction with the staff of the Special Representative of the President of the Russian Federation for the Promotion of Human and Civil Rights in the Chechen Republic and his office in Chechnya, the Office of the Procurator of the Chechen Republic has examined letters and other communications from citizens about persons who went missing in the Chechen Republic in 1999-2001. They stated that Chechen procuratorial agencies have received 609 such communications. They further reported that units of the Internal Affairs Department of the Chechen Ministry of Internal Affairs have initiated search operations in connection with 222 of them. They stated that the procuratorial agencies continuously monitor the work of the field units assigned to this duty, and detective work has revealed the whereabouts of 112 missing persons. According to information from the Russian authorities, in connection with 387 reports, the Office of the Procurator of the Chechen Republic, following checks carried out under article 109 of the Code of Criminal Procedure of the Russian Soviet Federative Socialist Republic (RSFSR), had initiated criminal proceedings based on evidence of an offence under article 126 of the Criminal Code of the Russian Federation (abduction of persons). Meanwhile, they report that an integrated central databank on missing persons was created at the information centre of the Internal Affairs Department of the Chechen Republic in order to coordinate searches for such persons.

26. The Russian authorities consider the existence and normal functioning of the judiciary is a tangible guarantee of the promotion and protection of human and civil rights. Therefore, they stated that it is gratifying to note that, since 10 December 2000, courts of general jurisdiction have started to operate in the Chechen Republic. Further, they noted that, the involvement of procurators in the hearing of criminal and civil cases has been defined by the Procurator-General of the Russian Federation as a priority for the Office of the Procurator of the Chechen Republic. The Russian authorities reported that the Chechen Republic's courts have heard 198 criminal cases to date. According to their information, Chechen municipal and district procurators have acted as State prosecutors in 79 cases, i.e. in 39.9 per cent of the criminal cases that have been heard. The Russian authorities reported that full provision is also made for the participation of procurators in the hearing of criminal and civil cases in cassation proceedings before the Supreme Court of the Chechen Republic.

27. The Russian Government considers that definite progress has been made in the work of internal affairs agencies. Greater numbers of passport and visa service officers are being sent to Chechnya to expedite the issuance of passports to the population. Further, it has been stipulated at the highest level in the Federal Ministry of Internal Affairs that passport and visa service officers must visit temporary accommodation centres and use appropriate equipment to document, photograph and register people to temporary and permanent addresses. Passport and visa services staffed by officers recruited from the local population have been set up in the newly established internal affairs agencies at the republic and local level.

28. Information from the Russian Government stated that during the period from March 2000 to November 2001, the Office of the Special Representative of the President of the Russian Federation received more than 21,000 communications. They stated that a total of 7,039 reports of human rights abuses were accepted from citizens of the Russian Federation residing in the Chechen Republic.

29. A study by the Russian authorities of the reports received revealed that over half the issues raised by citizens in connection with the right to the freedom and inviolability of the person concerned searches for missing persons, unlawful arrest and detention, property searches, and disappearances. They stated that this information has often been borne out by statistics from the law enforcement agencies investigating offences.

30. The Russian authorities reported that the Special Representative's Office and the law enforcement agencies are now conducting searches for missing persons on a daily basis. They noted, however, following a flood of reports during the period April-August 2000, the number of communications in this category steadily decreased. They stated that reports mainly concern disappearances that occurred in 2000. Further, they reported that a study of the reports has shown that the overwhelming majority of the people went missing in Grozny.

31. The Russian authorities noted that while the number of communications relating to the determination of people's whereabouts has declined, at the same time, the area of origin of such communications has expanded. Their information stated that people from the Vedeno, Kurchaloi, Argun, Urus-Martan and Shatoi districts of Chechnya have started to send in reports. The Russian authorities consider that this shows that, first of all, the list of missing persons is far from complete and second, that the population is more trusting and less inhibited about requesting help from the federal authorities, since they anticipate actual results.

32. The Russian authorities reported that in addition, 2,142 people filed complaints with the Office of the Special Representative regarding 646 alleged instances of unlawful acts committed by members of the federal security forces. The Russian authorities stated that experts from the Council of Europe helped to compile a list of these reports, briefly outlining the circumstances of each case. They reported that this list was transmitted to procuratorial agencies and the Russian Ministry of Internal Affairs for consideration and investigation.

33. The Government reported that in order to ensure that the human and civil rights and freedoms which are enshrined in the Constitution of the Russian Federation are safeguarded in the Chechen Republic, and mindful of the relevant recommendations of the Parliamentary Assembly of the Council of Europe, the Special Representative of the President of the Russian Federation, the Deputy Procurator-General of the Russian Federation and the Chief Military Procurator signed an agreement on 26 March 2001 to form a joint working group comprised of staff from the Office of the Special Representative, the Office of the Procurator-General, and the Office of the Procurator of the Chechen Republic. The Russian authorities noted that the working group was assigned the task of coordinating joint action to examine complaints and reports submitted by Russian citizens living in the Chechen Republic of unlawful actions by military and law enforcement agency personnel and promptly adjudicating appeals against such actions. The Russian authorities consider that the establishment of the working group has enabled communications and complaints from residents of Chechnya to be

handled more expeditiously, and has prompted the Chechen authorities and the command of the federal forces to take a more serious and responsible approach to human rights issues. They reported the working group held nine meetings in the period ending November 2001, including four in the Chechen Republic (Grozny) which were attended by senior officials of the Republic ministries and government departments, experts from the Council of Europe and community representatives. The Russian authorities reported that at its meetings, the working group considered reports on law enforcement agencies' searches for missing persons; the outcome of investigations into complaints and reports by citizens and media reports of detention in so-called "pits"; complaints of unlawful actions by military personnel; the progress and outcome of investigations into the discovery of mass graves in Chechnya; and other pressing human rights issues.

34. According to information from the Russian authorities, at the working group's recommendation, regular meetings have been initiated between officials of the Chechen Republic's Procurator's Office and Ministry of Internal Affairs, civil servants, representatives of the Special Representative's Office and members of the public to explain the actions of procuratorial agencies in investigating offences committed by representatives of the security structures. They noted that the military procurator of the Chechen Republic meets with the chief administrators of each district twice a month in Grozny to address promptly any issues that arise. The Russian authorities reported that since 16 May 2001, officials of the civil and military procurators' offices have been receiving members of the public daily at the procuratorial offices in Grozny's Leninsky district. According to information from the Russian Government, the federal security structures have improved their cooperation with each other and with the authorities and village elders throughout the Republic.

35. The Russian authorities consider that some headway has been made in efforts to ensure the return of, and provision of accommodation for persons forced to abandon their homes in Chechnya.

36. The Russian authorities reported that they believe other positive trends have also become apparent in the Chechen Republic. They consider that this is attributable to the strengthening of the administration from the top down, the energetic work of the judiciary and lawyers, the intensification of procuratorial efforts to open cases and investigate crimes against the local population committed by military personnel, the special efforts undertaken by the Federal Ministry of Internal Affairs to provide residents of Chechnya with identity documents, the steps taken by local-level chief administrators to protect the interests of internally displaced persons, and the significant easing of restrictions on travel throughout the Republic by residents of Chechnya.

37. The Russian Government reported that the authorities are continuously monitoring the social welfare of the population of the Chechen Republic. They noted that during the period from late 2000 to early 2001, the Procurator's Office checked to see whether the requirements of the Federal Act on the basic principles of the system for preventing child neglect and juvenile delinquency were being applied in Chechnya. They reported that these checks revealed serious shortcomings in the work of the authorities and the law enforcement agencies responsible for preventing child neglect and juvenile delinquency and protecting the rights and interests of Chechen children. As a result, procurators in various towns and districts throughout the

Republic made 11 recommendations to rectify the breaches of the law that had been discovered, and two cases were opened in connection with administrative offences. Further, they reported that an interdepartmental conference was held on 19 February 2001, under the auspices of the Office of the Procurator of the Chechen Republic; it was attended by representatives of the Ministry of Internal Affairs, the Ministry of Labour, the Ministry of Education, the Ministry of Health, the State Committee for Physical Fitness, Sport and Tourism, and the Chechen authorities responsible for preventing child neglect and juvenile delinquency and protecting the rights of minors. Information from the Russian authorities stated that as a result of the conference, a decision was taken jointly to prepare a draft federal government decision specifying additional measures to prevent child neglect and juvenile delinquency and protect minors' rights. They stated that simultaneously, the Office of the Procurator of the Chechen Republic made recommendations on repairing breaches of the law regarding the prevention of child neglect and juvenile delinquency to the Chief Executive of the Chechen Republic and the chief officer of the Chechen Internal Affairs Department of the Federal Ministry of Internal Affairs.

38. The Russian Government reported that in April 2001, the Office of the Procurator of the Chechen Republic checked to ensure whether legislation on social welfare for the disabled and the elderly was being applied. They stated that the results of the exercise showed that the Chechen authorities, and specifically the Ministry of Labour and Social Development, the Ministry of General and Vocational Education, and the Ministry of Health, were failing to carry out many of the provisions on social welfare for the disabled and the elderly set out in federal laws on the social welfare of disabled persons, on veterans, and on social services for elderly citizens and the disabled.

39. According to information provided by the Russian authorities, municipal and district procurators in the Chechen Republic have conducted legal compliance checks under the supervisory procedure, resulting in seven recommendations to rectify breaches of relevant legislation, the challenging of three legal acts and the cautioning of two officials against taking illegal action. They further stated that the Office of the Procurator of the Chechen Republic has submitted recommendations on rectifying breaches of the law to the Chechen Ministry of Labour and Social Development, the Ministry of General and Vocational Education and the Ministry of Health. They reported that the Head of the Administration and the Chairman of the Government of Chechnya are kept informed of any violations and shortcomings.

40. The Russian authorities stated that addressing the problems of internally displaced persons is another aspect of the procuratorial agencies' efforts to safeguard and protect citizens' rights in the Chechen Republic. They reported that according to information from the Russian Ministry for Federal Affairs and National and Migration Policy regional office in the Republic of Ingushetia, 308,912 individuals were registered in Ingushetia as forced migrants from the Chechen Republic. They noted that of these, 91,481 persons returned to their homes in the Chechen Republic, 67,817 left for other regions of the Russian Federation and 975 were sent to temporary accommodation centres run by the Federal Migration Service. They further stated that there are currently 148,639 forced migrants in Ingushetia, of whom 31,578 are living in temporary accommodation camps, 31,756 in rented premises and 85,305 in the private sector.

41. Information from the Russian authorities stated that forced migrants and forcibly displaced persons from the Chechen Republic are also residing temporarily in the Republic of Dagestan (about 10,000 people), Stavropol Territory (about 2,500 people), the Karachai-Cherkes Republic, the Republic of North Ossetia-Alaniya, and Astrakhan oblast.

42. The Russian Government reported that the attention of the Chechen Government and the relevant federal authorities is constantly focused on resolving problems pertaining to the legal status of and provisions for persons who have temporarily left their homes in the Chechen Republic. Accordingly, they stated that the Chechen Government, by order No. 55rp of 18 April 2001, confirmed the regulations on the Chechen Government's Committee for forced migrants' affairs, a body which coordinates and functionally regulates efforts to provide amenities for migrants and facilitate their social and economic adjustment.

43. Information provided by the Russian authorities stated that on 30 July 2001, the Chechen Government adopted decision No. 31 on providing State assistance to residents of the Chechen Republic who have suffered as a result of the resolution of the crisis in the Republic. A Commission reporting to the Chechen Government was established pursuant to this decision to deal with this question.

44. The Russian authorities reported that under a special federal programme to revive the economic and social spheres in the Chechen Republic, approved by federal decision No. 96 of 9 February 2001, planned expenditures for 2001 on basic housing and support for citizens in existing temporary accommodation centres amounts to 563.7 million roubles. They reported that of this amount, 500 million roubles are for basic housing and support for citizens in existing temporary accommodation centres in the Republic of Ingushetia and the Chechen Republic. They stated that under the programme thus far, communal buildings and facilities at the Argun temporary accommodation centre in Chechnya have been rebuilt and re-equipped at a cost of 5.82 million roubles, and work is continuing at similar centres in Gudermes and Grozny.

45. The Russian authorities reported that maintenance costs for citizens at temporary accommodation centres are financed in a timely manner, as per federal government decision No. 163 of 3 March 2001, on the financing of expenditures on the support and feeding of citizens who have temporarily left their homes in the Chechen Republic, and on tickets and baggage charges in connection with travel by such persons to their homes in the Chechen Republic in 2001. They estimated that the total projected expenditure on these items in 2001 is estimated at 500 million roubles.

46. The Russian Government reported that the Central Department for State Supervision of Communications in the Russian Federation considered the requests of international humanitarian organizations to assign radio frequencies with a view to ensuring reliable radio communications for their workers in the North Caucasus region. They stated that in view of the difficult operational and electromagnetic situation that developed during the counter-terrorist operation in the Chechen Republic, it was proposed that humanitarian organizations use frequencies in the short-wave range, rather than the VHF frequencies they had previously used. In addition, the Ministry of Communications of the Russian Federation proposed to humanitarian agencies that they acquire Globalstar handheld mobile satellite telephones for their communications needs.

Furthermore, the Ministry of Communications and the State corporation, "Space Communications", proposed that VSAT earth stations for satellite communications be installed at housing centres for internally displaced persons in Ingushetia and in other parts of the Russian Federation. The Russian authorities stated that such stations can be used as the base for telephone stations or for the installation of pay phones. Further, the Russian authorities reported that for the purposes of establishing a short-wave radio communications network, the United Nations Office in the Russian Federation is authorized under licence No. 09-14-42/01503 of 19 January 2001 to install and use in Moscow, St. Petersburg, Vladikavkaz, Nazran, Stavropol, Krasnodar Territory and Rostov oblast short-wave radio equipment operating on 6,260, 10,175, 17,565, 19,309.6, 19,373.6, and 20,730.6 kHz.

IV. INFORMATION FROM REGIONAL ORGANIZATIONS, UNITED NATIONS AGENCIES AND PROGRAMMES, AND OTHER ORGANIZATIONS

A. Council of Europe

47. Information received from the Council of Europe is summarized below.

48. Since June 2000 three Council of Europe experts have been working in Znamenskoye, Chechnya, providing consultative expert assistance to the Office of the Special Representative of the President of the Russian Federation for Human Rights in Chechnya. The agreement to provide this assistance has been extended through 4 April 2002.

49. The Council of Europe considers that there has been some progress in the human rights situation in Chechnya since September 2001, but that demonstrated progress is not yet as substantial as could be desired. In particular, there is still insufficient progress in the investigation of cases concerning crimes allegedly committed by members of the military and persons of similar status against the civilian population, including allegations concerning mass killings.

50. Since April 2000, the European Court of Human Rights has received approximately 140 individual complaints. In June 2000, the Court communicated six complaints to the Government of the Russian Federation. These cases concerned three episodes: the alleged bombardment of a refugee convoy outside of Grozny in October 1999 by military planes; the alleged bombardment of the village of Katyr-Yurt in February 2000; and killings, allegedly by Russian servicemen, of civilians in a suburb of Grozny, in February 2000. The observations of the parties have been received, and a decision on admissibility is due in the first half of 2002.

51. On 10 July 2001, the European Committee for the Prevention of Torture (CPT) issued a public statement concerning the Chechen Republic. Relating to the Chernokozovo detention facility, the CPT explained that the Russian authorities had made clear that they had no intention of organizing a thorough and independent inquiry into many apparent cases of ill-treatment at this facility during the period December 1999 to early February 2000. The CPT reported that it had gathered information indicating "that a considerable number of persons deprived of their liberty in the Chechen Republic since the outset of the conflict had been physically ill-treated

and others who knew about such offences were reluctant to file complaints to the authorities. There was a fear of reprisal at local level and a general sentiment that, in any event, justice would not be done".

52. The Commissioner for Human Rights of the Council of Europe visited the Chechen Republic of the Russian Federation in February 2001 and, subsequent to his findings, made two main recommendations to the Russian authorities. The first, seeking to reduce the prevailing climate of impunity, called for the creation of a joint working group of the office of the Special Representative of the President of the Russian Federation for Human and Citizens Rights in the Chechen Republic, Vladimir Kalamanov and the civil and military prosecution services. Such a working group would enable Mr. Kalamanov's office to review, at regular meetings, the progress of investigations and criminal proceedings instituted on the basis of forwarded files. The second recommendation was for the holding of a seminar.

53. The Commissioner for Human Rights travelled to Moscow again in September 2001 to obtain information on the progress of investigations into human rights violations committed in Chechnya and to discuss the proposed seminar. Regarding the first, the Commissioner was able to conclude, following a lengthy and open meeting with the Chief Public Prosecutor and several of his assistants, that efforts had been made to prosecute human rights violations. The Commissioner was provided with statistics revealing that criminal investigations had been opened in respect of 393 cases, 100 of them by the military "Procuratura", which had transmitted 52 cases to the military courts, on the basis of which 15 military personnel had so far been convicted. Independent reports of continuing violations did, however, highlight the work that remained to be done.

54. The Commissioner sought to focus his seminar proposal on the protection of and respect for human rights as the basis of the democratic reconstruction of the Republic of Chechnya. The seminar was held in November 2001, immediately prior to the second consultation on a political solution to the conflict in Chechnya organized by the Joint Working Group on Chechnya made up of members of the Parliamentary Assembly of the Council of Europe (PACE) and the Russian State Duma. The seminar brought together high-ranking representatives from the Russian Ministries of the Interior and Justice, the prosecution services, the Chechen local administration, and members of Chechen and Russian human rights NGOs working in the region. At the seminar, obvious tensions were to some extent set aside in the acknowledgement by all involved of ongoing human rights abuses on both sides, the improved efforts of the prosecution services, the possibility of a constructive role for NGOs in those efforts and in the political and economic reconstruction of Chechnya generally, and the need for the continuation, in Moscow and in Chechnya, of the open dialogue that characterized the seminar.

55. The Council of Europe considers the PACE-DUMA Joint Working Group on Chechnya to be a good instrument to facilitate and provide support towards a political solution.

B. Organization for Security and Cooperation in Europe

56. Information provided by the Organization for Security and Cooperation in Europe is summarized below.

57. The OSCE Assistance Group (AG) was established by the Permanent Council on 11 April 1995 (PC.DEC/35), which set forth the following tasks for the AG:

(a) To promote respect for human rights and fundamental freedoms, and the establishment of facts concerning their violation; help foster the development of democratic institutions and processes, including the restoration of the local organs of authority; assist in the preparation of possible new constitutional agreements and in the holding and monitoring of elections;

(b) To facilitate the delivery to the region by international and non-governmental organizations of humanitarian aid for victims of the crisis, wherever they may be located;

(c) To provide assistance to the authorities of the Russian Federation and to international organizations in ensuring the speediest possible return of refugees and displaced persons to their homes in the crisis region;

(d) To promote the peaceful resolution of the crisis and the stabilization of the situation in the Chechen Republic in conformity with the principle of the territorial integrity of the Russian Federation and in accordance with OSCE principles, and pursue dialogue and negotiations, as appropriate, through participation in "round tables", with a view to establishing a ceasefire and eliminating sources of tension;

(e) To support the creation of mechanisms guaranteeing the rule of law and order.

58. The OSCE AG began working in Grozny on 26 April 1995 and operated from there until 6 December 1998, when its international staff was evacuated to Moscow owing to the deteriorating security situation. During the year 2001, the immediate priority of the AG's activities was to ensure the return of its international staff to Chechnya. The negotiation process that began in 2000 to solve technical problems impeding the Group's return led to the signing of a memorandum of understanding on security between the AG and the Ministry of Justice of the Russian Federation. On 15 June 2001, after almost 2½ years of evacuation, the AG returned to Chechnya.

59. Currently, the AG focuses its activities on stabilizing its presence in Chechnya, maintaining relations with federal authorities in Moscow and establishing new contacts with local and federal authorities in Chechnya and adjacent regions. Through these activities, the AG can monitor and assess the latest developments in the political, economic and human dimension fields.

60. In Grozny the AG has met with representatives of the Chechen administration. Discussions have focused on the general situation in the Republic and on IDPs living in Ingushetia. The large high number of IDPs in Chechnya and adjacent regions remains a source of serious concern to the AG. In this regard, the AG has conducted assessment visits to IDP camps in Ingushetia and Chechnya, also meeting with relevant federal and local officials. In Znamenskoye, permanent contacts are also maintained with the Office of the Special Representative of the President of the Russian Federation for Human and Citizens' Rights in the Chechen Republic, Vladimir Kalamanov.

61. In Moscow the AG meets with representatives of the Russian federal authorities on issues related to Chechnya. Additionally, the AG has attended parliamentary hearings organized by the Parliamentary Commission on Normalizing the Socio-political Situation and Human Rights in Chechnya, where the problems of a safe and speedy return of IDPs to their permanent places of residence were discussed. The AG cooperates closely with human rights organizations such as Memorial and Human Rights Watch, exchanging information on the human rights situation in Chechnya. Documented allegations of human rights violations in Chechnya are also regularly reported by the AG to the OSCE participating States.

62. In the Znamenskoye office, the AG receives complaints on the human rights situation. The complaints received by the AG cover more than 200 cases of disappearances and several cases of killings, as well as mistreatment, torture and robberies. All the cases have been registered in a database and handed over to the Chechen authorities, as well as to Mr. Kalamanov's office. It was agreed with that office to hold meetings every two weeks to exchange information and views concerning human rights violations. In order to combine efforts, the AG meets regularly with Council of Europe experts working in Mr. Kalamanov's office in Znamenskoye.

63. The AG works to facilitate the delivery of humanitarian aid to the victims of the crisis. The Group participates in coordination meetings with United Nations agencies in Nazran/Ingushetia and in Moscow, and cooperates closely with international organizations and NGOs.

64. Before and after its return to Chechnya, the AG sought to identify programmes directed towards post-conflict social, psychological and professional rehabilitation of victims. Owing to the limited financial resources, the AG has targeted programmes at children and young people, who represent the most vulnerable and affected group. Projects were funded from the budget of the AG as well as from voluntary contributions from participating States and private companies.

65. The AG stands ready to assist the conflicting parties in the search for a political solution to the crisis. Thus far, however, the Russian authorities have not appeared prepared to accept OSCE involvement in these processes, arguing that the political part of the Group's mandate has already been exhausted. Conversely, Chechen rebels call regularly for OSCE mediation.

C. Office of the United Nations High Commissioner for Refugees

66. Information received from UNHCR is summarized below.

UNHCR activities in Ingushetia

67. The objectives of the UNHCR's operation in Ingushetia are to preserve a safe haven for IDPs in that Republic, to ensure the principle of voluntariness of return, in safety and with dignity, and to explore possible integration schemes for those IDPs who are not willing or unable to return to Chechnya.

68. Ingushetia currently hosts some 150,000 IDPs who fled from Chechnya since September 1999. Some 70 per cent of them are accommodated with host families in Ingushetia; the rest reside in tent camps and spontaneous settlements. In addition, there are some 20,000 IDPs from the previous conflict in Chechnya (1994-1995), as well as more than 16,000 ethnic Ingush IDPs from the Prigorodny district (North Ossetia-Alania).

69. So far there has been a relatively limited return movement of IDPs, and reports indicate that the overall situation inside Chechnya is not conducive to return. IDPs cite general insecurity, mines, as well as federal "clean-up", operations as the main reasons for remaining in Ingushetia. Furthermore, the humanitarian situation is difficult for the population in Chechnya, with lack of infrastructure and limited availability of basic subsistence commodities. The situation remains fluid as new IDPs continue to arrive in Ingushetia, and UNHCR aims to ensure that the displaced have the option to remain in safety in the Republic.

70. A key element of UNHCR's involvement in the region is to ensure that a safe haven is maintained for the displaced population where needs in terms of security and basic assistance are met. Although there were instances of forced return in the early stage of the emergency, the principle of voluntariness of return has gained general acceptance among local and federal authorities.

71. UNHCR has focused its efforts in Ingushetia on establishing a comprehensive protection monitoring system through a local implementing partner, VESTA. Some 15 VESTA monitors work throughout Ingushetia in camps, settlements and among host families under the direct supervision of UNHCR protection staff. The displaced populations' movements, relations with law enforcement and military officials, difficulties with the local population, as well as access to shelter, water, public services and humanitarian assistance, are monitored on a daily basis. Monitors intervene in support of IDPs, if necessary with support from UNHCR staff. Vulnerable cases or groups are being identified and appropriate actions are designed and taken.

72. A legal counselling centre has been established under VESTA in Nazran that currently employs three lawyers and also provides counselling to IDPs at field locations. In addition, UNHCR also supports the counselling centre of the Russian NGO Memorial in Nazran which focuses efforts on sojourn registration, of alleged human rights violations, and promotion of IDPs' rights through the courts and administrative structures. Regular meetings are organized to coordinate protection activities with other United Nations agencies, local and international NGOs and government agencies.

73. In contrast to reports from Chechnya, there have been relatively few cases of (alleged) arbitrary arrests and harassment by law enforcement and military officers in Ingushetia. UNHCR continues to monitor the relationship between IDPs and governmental agencies present in the Republic, including in relation to screening operations and document checks carried out in the camps. Other protections concerns include:

(a) Access to shelter, as overcrowding and eviction threats put many IDPs under pressure to vacate their living premises. UNHCR seeks to improve capacity and living conditions in settlements, and tries to identify solutions for vulnerable families without shelter;

(b) Problems relating to lack of legal status, registration with the Ingush territorial organ of the Ministry of Federal Affairs, National and Migration Policy, and registration for aid benefits by international agencies. The Government operates on the basis of some 122,000 registered IDPs and currently is not registering new arrivals;

(c) Lost or obsolete documents, a potentially serious problem for a significant number of IDPs. However, temporary documents are being issued by local bodies;

(d) Limited access to health services and schools, mainly owing to lack of capacity in the Republic of Ingushetia;

(e) Limited freedom of movement beyond Ingushetia owing to strict federal security measures throughout the northern Caucasus, as well as the restrictive sojourn registration regulations and/or practices adopted by the northern Caucasus Republics;

(f) Psychosocial support to the large numbers of traumatized individuals, in particular vulnerable elderly, women, children and youth;

74. Based on the above protection considerations, UNHCR is pursuing the following activities in Ingushetia:

(a) Continued comprehensive monitoring of the general situation of IDPs, with increased focus on the needs of vulnerable groups (children, women, disabled, elderly), particularly among IDPs in host families. A database containing detailed information on all IDP settlements in Ingushetia is near completion;

(b) Continued legal, social and medical assistance through the VESTA and Memorial counselling centres;

(c) Support, mediation and liaison with local government partners (and local populations) to promote the rights of IDPs (registration, issuance of documents, freedom of movement, physical safety, shelter, etc.);

(d) Psychosocial support (counselling, recreation) targeting vulnerable groups: women, children, elderly and youth;

(e) In close coordination with UNICEF, WHO and other partners, implementation of projects to promote mine awareness, rehabilitation of mine victims, and medical/psychosocial support to the civilian victims of war;

(f) Strengthened coordination and exchange of information with NGOs, thus promoting protection support from other relevant agencies operating in the Republic;

(g) At the Moscow level, advocacy for the principle of voluntariness of return and promotion of durable solutions for IDPs not able or willing to return to Chechnya.

UNHCR activities inside Chechnya

75. The objectives of the UNHCR operation in Chechnya are to promote the re-establishment of the (civilian) rule of law in the Republic, and to alleviate the human suffering of IDPs who made the free and informed choice to return to Chechnya, as well as that of other vulnerable IDP groups.

76. There is also a significant number of displaced persons inside the Republic of Chechnya - some 170,000 in a total population estimated at 550,000. However, UNHCR has very limited access to this population.

77. Owing to the prevailing security situation, UNHCR has no plans to establish a presence inside Chechnya. Also, with a so far limited permanent return movement to Chechnya, UNHCR will remain careful not to create push (or pull) factors in a situation where the Office has no possibility of ensuring the safety of the returnees. UNHCR has consistently rejected proposals from federal authorities to assist with establishing temporary accommodation centres for returnees (and other displaced) inside Chechnya. UNHCR retains its focus on providing and maintaining a real refuge for the IDPs who have fled the republic.

78. However, UNHCR does have a role to play in supporting national and local initiatives to prepare Chechnya for the process of re-establishing the rule of law and a civil society. Also, reports of deplorable living conditions and lack of the most basic support to displaced and vulnerable groups in areas of the Republic require UNHCR to attempt to alleviate some of the suffering in Chechnya as well. Current and planned UNHCR protection activities include:

(a) Technical assistance to, and training (to take place outside Chechnya) of the judiciary and staff of the prosecutor's office (in coordination with the OSCE/Office for Democratic Institutions and Human Rights (ODIHR));

(b) Provision of legal counselling and representation before the courts for IDPs through the local NGO Memorial; the three legal offices, two in Grozny and one in Urus-Martan;

(c) Technical assistance to and training of the Collegium of independent advocates of Chechnya;

(d) Provision of technical support and training to the Office of the Special Representative of the President;

(e) Provision of psychosocial counselling to returnees and vulnerable IDPs through VESTA;

(f) Mine awareness through the local NGO Voice of the Mountains;

(g) Recreational activities for the youth in camps to prevent idleness and under-age recruitment.

79. All training activities are being implemented in consultation and/or coordination with Council of Europe observers, OSCE/ODIHR and ICRC. UNHCR humanitarian assistance is being provided through local and/or international NGOs, in coordination with the other United Nations agencies. It is acknowledged that, while UNHCR has an intentionally reduced, emergency-driven (as opposed to reconstruction) assistance programme in Chechnya, other United Nations agencies have a broader involvement.

80. In parallel with these protection activities, targeted humanitarian aid is being provided to returnee families under the form of returnee packages and/or emergency shelter assistance (the "one dry room" approach) and water distribution, scheduled to be handed over to UNICEF by the end of 2001.

81. Besides providing relief to the direct beneficiaries, the provision of legal/social counselling to returnees and IDPs by Memorial and VESTA, and the provision of emergency shelter assistance to returnees serve two other important protection objectives. Firstly, the provision of humanitarian aid in Chechnya has lessened the pressure exercised by the Federal Government on UNHCR to cease or divert its assistance to IDPs in Ingushetia on the pretext that UNHCR (and the United Nations) were "fixing" IDPs in Chechnya and preventing their return de facto. A fair amount of diplomatic effort was spent by UNHCR in 2000 with the Federal Government in an attempt to dissipate such accusations and pressure. As a result, the reality of a safe haven for IDPs in Ingushetia has been preserved. Secondly, the activity reports submitted to UNHCR by Memorial and VESTA do allow UNHCR to have its own source of information regarding the situation of IDPs and returnees in areas of implementation of the projects, thus enhancing the capacity and authority of UNHCR in its contacts with asylum countries in Europe and elsewhere, and in defending the need for the continuous provision of asylum for Chechen refugees in those countries.

D. Office for the Coordination of Humanitarian Affairs

82. Information provided by OCHA is summarized below.

83. The OCHA Office in the Russian Federation operates in several distinct areas. The Office's humanitarian responsibilities include coordination of the response to the complex emergency in the North Caucasus. For this purpose it maintains an office in Moscow, with a sub-office in Nazran, Ingushetia.

84. The internal security conditions in Chechnya continue to be volatile and difficult to manage. Nevertheless, the United Nations is working with the Government, ICRC and NGOs to meet the immediate basic needs of shelter, food, clean water, primary health care and education. Considerable attention is paid to helping people live in safety and dignity, within an internationally recognized legal framework. The international aid community has been addressing these needs, often working in conditions of considerable risk themselves. Despite problems of insecurity and difficulties with access and the freedom of movement, much progress has been made.

85. In the last 12 months, OCHA Moscow/Nazran has continued its support of the Humanitarian Coordinator in the Russian Federation in formulating, monitoring and coordinating the common humanitarian action plan (CHAP) to respond to the humanitarian consequences of the situation in Chechnya.

86. During 2001, the UNHCR, UNICEF, WFP, and WHO have continued to work in the following sectors: protection, food, shelter and non-food items, health, water and sanitation, education, mine awareness, and economic recovery and infrastructure. The number of beneficiaries varied by sector, for example, 205,000 in education or 770,000 in water and sanitation.

87. In 2001, the OCHA Office in the Russian Federation, inter alia:

(a) Negotiated a letter of understanding (LOU) between the Government of the Republic of Chechnya and the United Nations and NGOs on modalities for working to facilitate the delivery of more assistance to civilians in need throughout Chechnya;

(b) Strengthened programme coordination and information exchange among the United Nations agencies and between the United Nations, ICRC and some 40 international and local NGOs involved in aid operations. This was facilitated by regular coordination meetings, needs assessments, information products such as briefing kits and a strategic approach to humanitarian action;

(c) Facilitated regular interaction between the federal and regional governments, donors, the United Nations, ICRC and the NGO community by conducting strategic monitoring, and holding seminars and consultations in order to develop a more principled, coherent and strategic approach to humanitarian action;

(d) Managed the consolidated appeals process and elaborated the 2002 Consolidated Inter-Agency Appeal for the North Caucasus;

(e) Called on the Government. of the Russian Federation to authorize the creation of a United Nations-NGO VHF communication network for staff safety. This issue continues to hinder the extent to which the United Nations and NGO can work in Chechnya;

(f) On 31 October 2001, organized signature of a LOU between the representatives of the humanitarian community and the Government of Chechnya on humanitarian action in Chechnya. Under the document, the Chechen Government undertakes to grant humanitarian workers free access to the affected civilian population and ensure unimpeded movement of humanitarian assistance, for the needy across Chechnya.

E. World Food Programme

88. Information received from WFP is summarized below.

89. Under the coordination of WFP, ICRC and NGO partners distribute food aid to all registered IDPs in Ingushetia. WFP provides basic food commodities, while ICRC and NGOs are responsible for complementary food rations. A recent nutritional survey conducted by UNICEF revealed a high incidence of iron-deficiency anaemia among IDP children and mothers in Ingushetia. Since employment opportunities are limited and IDPs have no source of income, the majority of them are still heavily dependent on humanitarian assistance.

90. IDPs in Ingushetia have expressed their willingness to go back to Chechnya, provided the security situation improves. The Government has encouraged IDPs to return by establishing temporary accommodation; however, conditions - security in particular - are not conducive to their return.

91. The humanitarian situation inside Chechnya continues to deteriorate. Despite security problems, WFP has been delivering basic food commodities through implementing partners to assist some 120,000 IDPs and vulnerable persons (70 per cent of the planned number) in areas affected by the conflict. Recent surveys indicate that 79 per cent of the households are poor and 92 per cent of the population are unemployed. The majority of the population are unable to meet minimum food requirements. Some people survive by resorting to destructive, illegal and/or dangerous coping mechanisms.

92. In 2001, WFP planned to provide food assistance to a total of 335,000 IDPs, 160,000 in Ingushetia and 175,000 inside Chechnya. However, because of food pipeline and security problems, as of October 2001, WFP had only been able to distribute food to 250,000 beneficiaries in both Republics. From January to October 2001, beneficiaries received a per capita daily average calorie intake of 1,700 Kcal. Beneficiaries are given three out of the four basic commodities because of low stocks of sugar and edible oil; these two commodities are distributed alternatively in Ingushetia and Chechnya.

F. International Committee of the Red Cross

93. Information received from the ICRC is summarized below.

94. Beyond its regular relief programmes on behalf of close to 30,000 particularly vulnerable Chechen civilians resident in major urban centres in Chechnya, and important support provided to Chechen hospital structures, medico-social services of the Chechen branch of the Russian Red Cross and the Grozny water board, ICRC also provides drinking water to over 40,000 IDPs from Chechnya in Igushetia and food, as well as non-food assistance, to over 150,000 IDPs in Ingushetia, Dagestan and southern Russia. ICRC also runs an important mine awareness programme specially focused on Chechen children, and trains units of the Russian Federation's armed forces and police in the basic norms of the law of armed conflict.

95. Following a meeting in March 2000 between the President of the Russian Federation Vladimir V. Putin and ICRC President Jakob Kellenberger, an agreement between the Russian Federation and ICRC was signed in May 2000. On the occasion of the visit by Mr. Kellenberger to Moscow on 29 and 30 October 2001 and meetings with, amongst others, Deputy Prime Minister Valentina I. Matvienko, Minister of Justice Yuri Y. Chayka and Minister of Foreign Affairs Igor S. Ivanov, the Government of the Russian Federation reaffirmed its

willingness to extend this agreement, which grants ICRC access to all persons detained in connection with the security operations in the Chechen Republic and confirms, taking security constraints into account, unhindered access of ICRC humanitarian assistance to affected populations in Chechnya and the neighbouring areas of the Northern Caucasus region of the Russian Federation.

96. Since it began visits to places of detention in the Chechen Republic and in other parts of the Russian Federation on 17 May 2000, ICRC has remitted five confidential synthesis reports, including its observations and recommendations concerning the treatment afforded detainees and conditions of detention, to the relevant authorities of the Russian Federation.

97. From May 2000 to the end of October 2001, ICRC undertook 124 visits to 42 places of detention, including 13 places in the Chechen Republic.

98. ICRC delegates enjoy functional, fruitful and frank working relations with all civilian and military authorities in the Russian Federation, including the Chechen Republic.

G. Non-governmental organizations

99. Non-governmental organizations, both international and national, have closely followed the human rights situation in Chechnya. Regular reports are provided by, among others, Human Rights Watch, Amnesty International and Memorial. In their reports, NGOs refer to continuing human rights violations in Chechnya, the need for a national independent commission of inquiry and specific allegations of arbitrary, often incommunicado, detention, forced disappearances, torture, looting and extrajudicial executions.

100. Memorial has sent numerous letters and reports to OHCHR during the past year regarding human rights in Chechnya. It continues to work in the Chechen Republic and in the neighbouring regions. In the Chechen Republic, Memorial has three legal assistance offices, in Grozny, Gudermes and Urus-Martan. They report that the human rights situation in Chechnya has not improved during the last year. Memorial considers the main problems to include the continued practice of "clean-up" operations, which are frequently accompanied by the beating, abuse and looting of the civilian population. They allege that people who are detained as a result of these operations often disappear, and in those cases when bodies are found, there are frequently marks of torture. Further, they contend that during these "clean-up" operations, members of the Russian armed forces regularly demand illegal payments from relatives in exchange for not detaining people, or for the release of detained persons. Memorial has regularly reported on such "clean-up" operations, and particular concern was raised over such cases in June and July and December 2001 and January 2002. Memorial continues to be concerned about the lack of will on the part of the military and civilian procuracy to investigate such allegations and prosecute the perpetrators, even in cases where there is clear evidence.

101. In 2001, Human Rights Watch reported that it continued to document serious abuses of human rights by Russian forces in Chechnya, including what it considered to be a pervasive pattern of enforced disappearances and a series of unprecedentedly harsh "clean-up" operations in at least six villages in June and July 2001 and similar actions in December 2001, as the situation deteriorated significantly. In well over 100 interviews in July and 50 in December,

eyewitnesses testified about dozens of extrajudicial executions and enforced disappearances, widespread use of torture and ill-treatment, thousands of cases of arbitrary detention, as well as large-scale extortion, looting and destruction of civilian property.

102. Research by Human Rights Watch found that the Government of the Russian Federation continues to resist a meaningful accountability process. While officials claim they have launched hundreds of inquiries into abuses against civilians, the vast majority of these investigations have been suspended and only a small fraction have progressed to the courts. None of these cases relates to torture, which Human Rights Watch considers to be one of the main abuses committed in the Chechen Republic. Human Rights Watch continues to call for the establishment of an independent commission of inquiry, as did the Commission on Human Rights in its resolution 2001/24. In the absence of such a commission, it urges the Government to provide a detailed report on investigations into abuses committed by its forces in Chechnya. It also stresses the urgent need for the special procedures of the Commission to carry out fact-finding missions to Chechnya and to report their findings to the Commission.

V. CONCLUSIONS

103. The detailed information provided by the Government of the Russian Federation is welcomed by the Office of the High Commissioner for Human Rights.

104. In her approach to the issue of human rights in Chechnya, the High Commissioner has stressed the importance of a credible response from the Russian authorities commensurate with the scale of the allegations of serious human rights abuses. She has recommended an independent, wide-ranging inquiry as the most appropriate way to address concerns. It is noted that, while a number of constructive mechanisms have been put in place, none possesses all the attributes which would normally be associated with such an independent inquiry.

105. Reports of serious human rights violations carried out by Chechen fighters against federal and local authorities and against civilians continue, including kidnapping and hostage-taking, and failure to observe international human rights and humanitarian law. The High Commissioner urges those responsible to cease such attacks.

106. The Russian authorities advise that considerable funds have been allocated to improve the economic and social infrastructure in Chechnya. Nevertheless, the situation regarding the economic, social and cultural rights of the Chechen people and in the region remains a matter of serious concern. There has been no significant return of displaced persons. Humanitarian agencies report that security concerns of IDPs have also been a major impediment to return to Chechnya.

107. Humanitarian agencies continue to be severely restricted in their activities, primarily because of security reasons. This problem needs to be addressed. In particular, the High Commissioner supports the call by international and governmental humanitarian organizations and NGOs on the Government of the Russian Federation to authorize the creation of a United Nations-NGO VHF communication network for staff safety. This issue continues to hinder the extent to which the United Nations and NGOs can work in Chechnya.

108. The High Commissioner remains convinced that visits by the special procedures of the Commission on Human Rights could play a vital role in achieving progress in the promotion and protection of human rights in Chechnya, and believes that it is important that all of the relevant invitations be extended. The High Commissioner reiterates her willingness to visit the region again if this could be of assistance. OHCHR is ready, in cooperation with partners, to expand its technical cooperation with the Government of the Russian Federation in order to assist it in meeting needs in Chechnya. OHCHR is also ready to provide further assistance in regard to procedures for addressing human rights violations adequately and assistance in the reconciliation processes.